

S P O K A N E C O U N T Y

PUBLIC WORKS DEPARTMENT
Dennis M. Scott, P.E., Director

July 27, 1994

RECEIVED

AUG 02 1994

SUPERFUND REMEDIAL DIVISION

Mr. Michael Kuntz
Site Cleanup Section
Toxics Cleanup Program
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

**RE: COLBERT LANDFILL - DOWNGRADEMENT GROUNDWATER MONITORING
AND OPERATIONAL CONTROL CRITERIA**

Dear Mr. Kuntz:

This letter is written in response to your July 20, 1994 letter regarding potential violation on the Colbert Landfill Remedial Action Project. Spokane County is concerned and confused by the contents of that letter. We also believe that much of what was requested by Ecology is already specified in the Consent Decree or is addressed within other project documents, and does not require a separate plan to describe.

You indicate in your letter that Spokane County has not prepared a plan or schedule to meet the Consent Decree requirements, and go on to identify the issues that must be addressed in this plan. The items that you identify as being components of this plan are:

- The frequency and format of reporting
- The objectives of monitoring
- The monitoring parameters
- The frequency of monitoring
- The specific type and level of analysis
- The skill level of personnel involved in field and office work
- How the monitoring data will be used to develop control criteria
- The objectives of control criteria
- The control criteria parameters
- The frequency, type, and level of analysis and evaluation.

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With the exception of the skill level of personnel and the reporting format, these issues are already specifically addressed in the Consent Decree, or are already required within previously required project work plans. Section XI of the Consent Decree specifies that Spokane County submit progress reports on the 10th of the month following the reporting period, and that progress reports be submitted quarterly after construction is complete. A different reporting frequency is provided for, if mutually agreed upon between EPA, Ecology, and Spokane County. We plan to report on the specified frequency. However, other submittal schedules may be appropriate, depending on the information and level of analysis EPA and Ecology would like to have incorporated into the reports. We are willing to discuss alternative reporting schedules with EPA and Ecology.

Sections V.A.2(a), V.A.2(b), V.C.2.(a), and V.C.2(b) of the Consent Decree Scope of Work (SOW) identifies the purpose of the operational and adjustment control criteria, and specifies the sampling frequency, analytical parameters and test methods, and the specific methods to be used for developing and applying the control criteria. As a result, it is unclear to Spokane County as to why a separate plan is needed to describe what is already defined in great detail in the Consent Decree.

Although Spokane County does not believe there is a need to create a plan to restate the Consent Decree control criteria requirements, we agree that a plan is needed to describe the sampling schedule, methods and procedures that will be used for sample collection, analysis, and quality assurance/quality control during operation of the remedial action. However, these requirements will be met within the already required Quality Assurance Project Plan (QAPP). A draft of this document was submitted to EPA and Ecology on February 28, 1992. Subsequent written and verbal comment by EPA and Ecology instructed Spokane County to delay finalization of this document until the National Pollutant Discharge Elimination System (NPDES) monitoring requirements could be incorporated. Because Ecology has not finalized the NPDES monitoring requirements, we have not been able to finalize this document. In the interim, Spokane County is using the draft QAPP, modified to incorporate as many of EPA and Ecology substantive comments (on the draft QAPP) as possible. We will modify the QAPP to incorporate the NPDES monitoring requirements as soon as these requirements are provided by Ecology, and submit it to EPA and Ecology for review. At this time, we plan to incorporate the QAPP into the Project Operation and Maintenance Manual; please advise us if this is not acceptable.

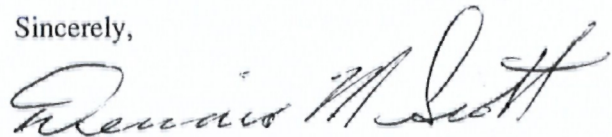
The SOW specifies that sampling of downgradient compliance monitoring wells will be initiated at a mutually agreed upon time following startup of the interception system, and that Spokane County conduct monthly monitoring for a two year period. Spokane County initiated this sampling in June, 1994, as reported in the June 1994 progress report. We intend to continue sampling the compliance monitoring

wells on a monthly basis to fulfill the Consent Decree requirements. We have discussed this sampling with Ecology representatives and understood that this constituted "agreement" regarding startup of compliance monitoring. If our understanding is incorrect, we can terminate our present groundwater compliance monitoring activities, and recommence them once we have developed a clearer "mutual agreement" with EPA and Ecology regarding compliance monitoring startup.

We would also like to clarify what we believe to be an inaccurate statement in your July 20 letter. You indicated in the 5th paragraph that the extraction systems has been operating for 3 months. The first discharge of water to the Little Spokane River occurred on May 5, 1994, about 2½ months prior to your letter. However, startup and performance testing occurred between May 5 and June 29, 1994, and the system was only operated intermittently for that period. Full scale operation did not commence until final acceptance of the facility from the Contractor on June 28, 1994, less than one month prior to your letter.

We request that a meeting occur as soon as possible between EPA, Ecology and Spokane County to clarify the understanding of all parties regarding project reporting and work plan preparation requirements, and to reestablish the cooperative working relationship that has resulted in the Colbert Landfill Project moving forward to its present operational condition. Spokane County is making all efforts to comply with the requirements of the Consent Decree, and believe we are doing so. We are unaware of any actions on Spokane County's part that constitute a violation (or potential violation) of the Consent Decree, and believe that all project requirements are addressed within existing and already required documents. Please contact me at your earliest convenience so we can resolve these issues.

Sincerely,



Dennis M. Scott, P.E.
Director of Public Works

cc: Carol Kregg/Ecology
Steven Thiele/Ecology-ATG
Neil Thompson/EPA
John Markus/Landau
Larry Beard/Landau
Dean Fowler/Spokane County